

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

RORY M. WALSH,	:	CIVIL ACTION NO. 1:05-CV-0818
	:	
Plaintiff	:	(Judge Conner)
v.	:	
	:	
THE UNITED STATES OF AMERICA, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 29th day of August, 2006, upon consideration of *pro se* plaintiff's motion for appointment of counsel (Doc. 106), which also requests that the instant motion and brief in support (Docs. 106, 107) be kept under seal,¹ and it appearing from the complaint and other documents filed by plaintiff (see, e.g., Docs. 1, 30, 42) that plaintiff is capable of properly and forcefully prosecuting his claims with adequate factual investigation and appropriate citations to governing authority and that resolution of the facial merit of plaintiff's remaining claims regarding the alleged burglary of plaintiff's residence in 2005 neither implicate complex legal or factual issues nor require the testimony of expert witnesses, see Tabron v. Grace, 6 F.3d 147, 155-57 (3d Cir. 1993) (listing factors relevant to request for counsel), and it further appearing that the brief in support of the instant motion contains irrelevant personal information regarding non-parties (see Doc. 107), but

¹ If plaintiff seeks to file future documents under seal, plaintiff shall separately file a motion to seal and brief in support thereof.

that the motion itself does not contain such sensitive information (see Doc. 106), it is hereby ORDERED that:

1. The motion for appointment of counsel (Doc. 106) is DENIED.
2. If further proceedings demonstrate the need for counsel, the matter will be reconsidered either *sua sponte* or upon motion of plaintiff. See Tabron v. Grace, 6 F.3d 147, 156 (3d Cir. 1993).
3. The Clerk of Court is directed to file under seal plaintiff's brief in support of the motion (Doc. 107).
4. The Clerk of Court is directed to UNSEAL the motion for appointment of counsel (Doc. 106).

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge